

**ORDINANCE NO. 20999-10-2013**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 13896, AS AMENDED, CODIFIED AS APPENDIX “A” OF THE CODE OF THE CITY OF FORT WORTH, BY AMENDING CHAPTER 4, “DISTRICT REGULATIONS”, ARTICLE 3 “PLANNED DEVELOPMENT (“PD”) DISTRICT TO ADD LINE COMPRESSORS IN SECTION 4.305, “USES”; TO AMEND CHAPTER 5 “SUPPLEMENTAL USE STANDARDS”, SECTION 5.140 “NATURAL GAS COMPRESSOR STATIONS” TO REMOVE SUBSECTION 2.C. “LINE COMPRESSORS”; TO AMEND SECTIONS 4.800 “NONRESIDENTIAL DISTRICT USE TABLE” AND 4.1200 “FORM BASED DISTRICTS USE TABLE” TO CLARIFY THAT LINE COMPRESSORS ARE PERMITTED BY RIGHT IN INDUSTRIAL DISTRICTS AND BY PLANNED DEVELOPMENT DISTRICT; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, on September 10, 2013, the City Council amended Chapter 15 “Gas” to remove “AG” Agricultural zoning district as a district where a line compressor would be allowed by right, remove the allowance in all other zoning districts by special exception, and allow only in industrial zoning districts by right and by a planned development district; and

**WHEREAS**, it is advisable to adopt revisions to the zoning ordinance to reflect the revisions of the newly adopted gas drilling ordinance;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:**

**SECTION 1.**

Chapter 4, “District Regulations”, Article 3, “Planned Development (“PD”) District, Subsection 4.305.D. “Specified Industrial Uses Permitted in “PD” District only” of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, is hereby amended to add number 15 “Line Compressors” as a use to read as follows:

**4.305 Uses**

**D. Specified Industrial Uses Permitted in “PD” District Only**

15. Line Compressors

- a. Line Compressors shall also be permitted in “I” Light Industrial, “J” Medium Industrial, and “K” Heavy Industrial districts.
- b. A site plan is required and shall not be waived.

## **SECTION 2.**

Chapter 5, Article 1, “Supplemental Use Standards, Standards for Selected Uses” of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 5.140, “Utility Transmission Line or Distribution Line; Natural Gas Compressor Stations” is hereby amended to delete the language in Subsection 2.C. “Line Compressors”.

## **SECTION 3.**

Chapter 4, Article 8, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 4602, “Non-Residential District Use Table” is hereby amended to revise section “Utilities”, use “Gas Line Compressor Stations” to delete “P” under “AG” non-residential districts; delete “SE” under zoning districts “ER”, “E”, “F”, “FR”, “G”, “H” commercial districts; delete “SE” under “CF” special district and add “PD” under “Planned Development” special district.

## **SECTION 4.**

Chapter 4, Article 12, of Ordinance No. 13896, the Zoning Ordinance of the City of Fort Worth, Section 4.1202, “Form-Based District Use Table” is hereby amended to add a column to the land use table labeled “PD” special districts; amend section “Utilities”, use “Gas Line Compressor Stations” to delete “P” under “MU-1”, “MU-1G”, “MU-2”, “MU-2G”, “NS-T4”, “NS/T4R”, “NS/T4N”, “NS/T5”, “NS/T5I”, “TU” and add a “PD” under “Planned Development” special district.

## **SECTION 5.**

This ordinance shall be cumulative of all other ordinances of the Code of the City of Fort Worth, Texas (1986), as amended, affecting zoning and shall not repeal any of the provisions of such ordinances, except in those instances where provisions of such ordinance are in direct conflict with the provisions of this ordinance.

## **SECTION 6.**

That all rights or remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of Ordinance Nos. 3011, 13896, or any amendments thereto that have accrued at the time of the effective date of this ordinance; and as to such accrued violations, and all

pending litigation, both civil or criminal, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

#### **SECTION 7.**

That it is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared void, ineffective or unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such voidness, ineffectiveness or unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation herein of any such void, ineffective or unconstitutional phrase, clause, sentence, paragraph or section.

#### **SECTION 8.**

That any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars (\$2000.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense.

#### **SECTION 9.**

That the City Secretary of the City of Fort Worth, Texas is hereby directed to publish this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

#### **SECTION 10.**

This ordinance shall take effect after adoption and publication as required by law.

#### **APPROVED AS TO FORM AND LEGALITY:**

By Melinda Rums  
Assistant City Attorney

Mary Kayser  
Mary Kayser, City Secretary

Adopted: October 15, 2013

Effective: October 26, 2013